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PREPARATORY COMMITTEE FOR THE
UNITED NATIONS CONFERENCE
ON HUMAN SETTLEMENTS
(HABITAT II)

Third session
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Item 4 of the Agenda
Statement of principles and commitments and global plan of action

MATTERS ARISING OUT OF THE DELIBERATIONS OF THE COMMISSION ON HUMAN SETTLEMENTS AT ITS FIFTEENTH SESSION, NAIROBI, 24 APRIL-1 MAY 1995:

Note by the secretariat

1. The purpose of the present document is to bring to the attention of the Preparatory Committee pertinent resolutions, decisions and recommendations arising out of the deliberations of the Commission on Human Settlements at its fifteenth session which may call for action by the Preparatory Committee or are otherwise of significance to its work. 1/

I. Report on housing rights strategy

2. By its resolution 14/6 of 5 May 1993 entitled "The human right to adequate housing", the Commission on Human Settlements requested, inter alia, the Executive Director of the United Nations Centre for Human Settlements (Habitat) to prepare a background document for consideration at its fifteenth session outlining practical contributions which could be made by UNCHS (Habitat) towards promoting, ensuring and protecting the realization of the right to adequate housing, and also how the Centre views its role in this respect and how most effectively an integrated monitoring system can be developed between the Centre and the United Nations human rights bodies. In the same resolution, the Commission also recommended that the Preparatory

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Committee for the United Nations Conference on Human Settlements (Habitat II) to be convened in 1996 consider the question of the human right to adequate housing. The report prepared in response to the above-cited request, entitled "Towards a housing rights strategy: practical contributions by UNCHS (Habitat) on promoting, ensuring and protecting the full realization of the human right to adequate housing", generated considerable discussion among delegations at the fifteenth session of the Commission, with no consensus being reached.

3. In its resolution 15/2 adopted on the matter, entitled "Report on housing rights strategy", the Commission took note of the Executive Director's report on this subject, and requested the Executive Director to undertake, in consultation with other relevant United Nations bodies, further examination of the report and to update it, taking into consideration the legal, social, economic, political and practical aspects of the subject and the views and concerns expressed on this by some Member States, including those regarding the existence and/or legal status of the right to adequate housing.

4. In response to this resolution and the deliberations in the Commission, the Chairman of the United Nations Committee on Economic, Social and Cultural Rights addressed a letter on the subject of the legal status of the right to adequate housing to the Executive Director of UNCHS (Habitat) on 12 July 1995, with a request that its content should be brought to the attention of the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II). Details regarding this letter appear in document A/CONF.165/PC.3/CRP.1, "Matters arising out of the resolutions of major legislative organs of the United Nations and other intergovernmental bodies which are brought to the attention of the Preparatory Committee".

II. Countries with economies in transition

5. In its resolution 15/5 of 1 May 1995 on the subject, the Commission on Human Settlements, recalling in particular General Assembly resolution 49/106 of 19 December 1994 which invites the United Nations system to continue its support of the efforts of countries with economies in transition as they transform their economies and integrate them in the world economy, invited the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) to consider inclusion of the problems and needs in the fields of housing and human settlements of countries with economies in transition in the preparations for the Conference.

III. Urban and housing performance indicators

6. In its resolution 15/6 of 1 May 1995 entitled "Urban and housing performance indictors", the Commission on Human Settlements, inter alia, recommended that countries in a position to do so should provide a financial contribution to UNCHS (Habitat) so that requesting Governments can receive support in the collection of indicators as part of the preparations for the United Nations Conference on Human Settlements (Habitat II) and as a long-term capacity-building strategy for monitoring the urban and housing sectors. The same resolution further requested the Executive Director of the United Nations Centre for Human Settlements (Habitat) to establish a global housing and urban observatory which would permit comparative international evaluation of

progress in meeting the aims of the Global Plan of Action which is to be adopted by the United Nations Conference on Human Settlements (Habitat II) and which would draw attention to, and provide information on, human settlements conditions worldwide.

IV. Priorities for national action to provide housing for all

7. In its resolution 15/10, also of 1 May 1995 on the above subject, the Commission on Human Settlements commended the Executive Director of the United Nations Centre for Human Settlements (Habitat) for the report on national action to provide housing for all since Habitat: the United Nations Conference on Human Settlements (Habitat I), which took place in Vancouver in 1976 2/, inter alia invited the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) to take note of the results of a review of national action to provide housing for all since the United Nations Conference on Human Settlements, 1976, and incorporate them into the Statement of Principles and Commitments and the Global Plan of Action, particularly for the programmes related to the theme "Adequate Shelter for All".

V. Sustainable human settlements in an urbanising world, including issues related to land policies and mitigation of natural disasters

8. In its resolution 15/11 on the above subject, the Commission on Human Settlements recommended that Governments should adopt, and ensure implementation (at the national and local levels) of, the following measures for the sustainable development of human settlements: (a) decentralization of decision-making and the creation of an enabling environment to support the initiatives of local authorities and communities; (b) formulation and implementation of local Agenda 21 plans and improvement of intersectoral coordination at all levels; (c) establishment of regulatory and incentive structures to encourage sustainable use of resources; (d) promotion of the use of non-polluting appropriate technologies in human settlements; and (e) increasing the financial resources available to local authorities to promote sustainable development.

9. The resolution further called on Governments to adopt and facilitate the implementation of the following measures for sustainable urban land development and management; (a) promotion of access to land and security of tenure, particularly for the poor; (b) decentralization and simplification of land registration, and, where appropriate, privatization of land survey departments; (c) promotion of land-use planning, including measures to promote utilization of under-utilized urban land; (d) strengthening of conservation measures to prevent land pollution and degradation; (e) strengthening of the role of land as the cornerstone of municipal finance, and (f) compilation of national inventories of land and other ecological resources and formulation of long-term spatial strategies to guide land resource development.

10. Finally, the resolution urged Governments to promote and facilitate implementation of the following measures for the mitigation of natural disasters, taking into account the outcome of the World Conference on Natural Disaster Reduction: (a) setting up institutional structures and

decision-making processes to ensure that disaster mitigation is integrated into sustainable human settlements development; (b) building up national information bases on disasters and the means to control them so as to reduce their impact; (c) improvement and regulation of access to land for housing the poor so as to limit encroachment on hazardous sites; (d) encouraging and assisting local authorities to direct human settlements development to safe locations; (e) identification of hazardous sites and their reduction or elimination, or conversion to alternative uses if possible; and (f) development and use of housing designs, building materials and construction methods which can mitigate the impact of natural disasters.

11. The resolution then further called, inter alia, on Governments and the Preparatory Committee of the United Nations Conference on Human Settlements (Habitat II) to pay special attention to these recommendations in the national and international preparations for the Conference.

VI. Coordination matters

12. In its resolution 15/12 of 1 May 1995 entitled "Coordination matters", the Commission on Human Settlements, bearing in mind that the role and function of the United Nations Centre for Human Settlements (Habitat) in coordinating the activities of the United Nations system in the field of human settlements will be reviewed at the United Nations Conference on Human Settlements (Habitat II), noted with satisfaction the increasing efforts of the Centre in fostering cooperation with the organizations in the United Nations system, including the United Nations Development Programme and the World Bank, and with intergovernmental organizations outside the United Nations system and non-governmental organizations. The Commission further noted that the preparatory process of the United Nations Conference on Human Settlements (Habitat II) has provided an impetus for further cooperation between the Centre and the organizations in the United Nations system.

13. The Commission therefore requested, in its resolution 15/12, that the Executive Director of the Centre, within available resources, should expand further the Centre's coordinating role in the implementation of the human settlements-related parts of Agenda 21, and the United Nations system's preparations for the United Nations Conference on Human Settlements (Habitat II); and intensify efforts aimed at generating collaborative programmes with regional development banks. Finally, the resolution requested the Executive Director of UNCHS (Habitat) to pursue efforts for coordination with agencies and organizations within the United Nations system, including the United Nations Development Programme, the United Nations Environment Programme and the World Bank, and with intergovernmental organizations and relevant financial institutions outside the United Nations system for more effective implementation of the Global Strategy for Shelter to the Year 2000, relevant action programmes under Agenda 21, and the activities relating to the preparatory process of the United Nations Conference on Human Settlements (Habitat II), and to report on the results of such coordination to the Commission at its sixteenth session.

VII. Cooperation between Governments and non-governmental organizations in the field of human settlements

14. In its resolution 15/13 entitled "Cooperation between Governments and non-governmental organizations in the field of human settlements", the Commission on Human Settlements, after recalling the important role accorded to non-governmental organizations in Agenda 21 and in the Programme of Action of the World Summit on Social Development, and in the Global Strategy for Shelter for the Year 2000, and having considered the report of the Executive Director of UNCHS (Habitat) on cooperation with intergovernmental organizations outside the United Nations system, noted that the preparatory process of the United Nations Conference on Human Settlements (Habitat II) provides the opportunity for both governmental and non-governmental organizations to put into practice the recommendations of the Meeting on Governmental/Non-governmental Cooperation held in The Hague, Netherlands, in November 1992.

15. Further, the same resolution in its operative paragraphs, inter alia, (1) urged Member States to take further steps to involve non-governmental organizations in the implementation of the Global Strategy for Shelter to the Year 2000, the implementation of the relevant parts of Agenda 21, and the national preparatory process for the United Nations Conference on Human Settlements (Habitat II); (2) invited Governments to increase the level of support given to non-governmental organizations to strengthen their roles as partners in the field of human settlements development; and (3) further invited Governments to enable the United Nations Centre for Human Settlements (Habitat), by providing the required resources, to expand its cooperation with non-governmental organizations and to strengthen the networking efforts of non-governmental organizations so as to increase their contribution to the monitoring and implementation of the Global Strategy for Shelter to the Year 2000 and of national human settlements policies and strategies.

VIII. Full realization of children's housing rights

16. On 1 May 1995, the Commission on Human Settlements adopted resolution 15/14 entitled "Concrete measures towards the full realization of children's housing rights". That resolution, inter alia, recalled that the right of the child to an adequate standard of living, particularly with regard to nutrition, clothing and housing, and to water provision, sanitation and privacy are contained in relevant articles of the Convention on the Rights of the Child, ratified by 178 countries. The resolution further recalled resolution 1994/8 of 23 August 1994 of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled "Children and the right to adequate housing", which, inter alia, reminded Governments to comply, to the maximum extent of available resources, with all existing obligations concerning the legally recognized rights of children to an adequate standard of living and the continuous improvement of living and housing conditions.

17. In the light of the declining living conditions of children, especially poor children, the resolution, in its operative provisions, requested the Executive Director to convene, within available resources, an expert seminar on "the rights of the child, particularly with respect to shelter and related services", prior to the convening of the third session of the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) 3/, and to cooperate closely with the United Nations Children's Fund with a view to developing mechanisms, including indicators, related to the relevant provisions contained in the Convention on the Rights of the Child. The resolution further requested the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) to take full account of its provisions.

IX. Preparations for the United Nations Conference on Human Settlements (Habitat II)

18. At its second plenary meeting on 1 May 1995, the Commission on Human Settlements, having considered the Progress Report of the Secretary-General of the Conference on the activities of the Conference secretariat (document HS/C/15/4), decided to request the Executive Director to bring to the notice of the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) the results of the deliberations of the Commission on this subject at its fifteenth session. These results focused on the need: (a) for clear guidelines for the self-financing World Fair to take place concurrently in Istanbul with the United Nations Conference on Human Settlements (Habitat II); (b) for information to be provided by the Conference secretariat on preparations for best practices; (c) also to base the Conference's Statement of Principles and Commitments and Global Plan of Action on the outcome of the assessment of the state of human settlements to be considered by the Preparatory Committee, as well as the need to place more emphasis on regional and subregional diversity and on shelter and infrastructure in rural areas; and (d) in particular, for an appeal for increased resources to be made available by those in a position to do so for in-country preparatory activities. The Commission further decided to include in the provisional agenda for its sixteenth session in 1997 an item entitled "Follow-up to the United Nations Conference on Human Settlements (Habitat II)".

X. New role, objectives and place of the United Nations Centre for Human Settlements (Habitat) within the United Nations system

19. At its fourteenth session, the Commission on Human Settlements, by its resolution 14/19 of 5 May 1993 entitled "Role and place of the United Nations Centre for Human Settlements (Habitat) in the United Nations system", requested the Executive Director to submit to it at its fifteenth session a report on "New objectives, role and place of the United Nations Centre for Human Settlements (Habitat) within the United Nations system", for further submission, with the Commission's recommendation, to the United Nations Conference on Human Settlements (Habitat II) through its Preparatory Committee. At its fifteenth session, the Commission considered the report on this subject prepared by the Executive Director of UNCHS (Habitat). Delegations generally welcomed the report and expressed the need, in

particular, to take account of how the implementation of Agenda 21 and of the plans of action of other conferences will influence the future role of the Centre, and also the need to improve the flow of resources to the Centre and to human settlements development generally. In its decision 15/19, adopted at its third plenary meeting on 1 May 1995, the Commission decided to transmit to the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) the views of Member States on the new role, objectives and place of the United Nations Centre for Human Settlements (Habitat) within the United Nations system. This decision recalls the earlier decision contained in the Commission's resolution 14/19, adopted at its fourteenth session, which also called for the further submission of the report on "New objectives, role and place of the United Nations Centre for Human Settlements (Habitat) within the United Nations system", with the recommendation of the Commission, to the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) 4/.

Notes

1/ The report of the Commission on Human Settlements on the work of its fifteenth session appears as Official Records of the General Assembly, Fiftieth Session, Supplement No. 8 (A/50/8).

2/ HS/C/15/1.

3/ The expert seminar is scheduled to take place in early 1996. The results of the expert seminar will be presented in the form of a conference room paper (CRP) to the Preparatory Committee at its third session in New York in February 1996.

4/ See document A/CONF.165/PC.3/4/Add.4.